

815 KAR 15:080. Licensing for boiler and pressure vessel contractors, owner facilities, owner's piping inspectors, and independent inspection agencies.

RELATES TO: KRS 236.097, 236.210

STATUTORY AUTHORITY: KRS 236.030, 236.097, 236.210(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 236.210 authorizes the commissioner, through the Board of Boiler and Pressure Vessel Rules to establish reasonable fees for the licensing of all new boiler and pressure vessel contractors. KRS 236.030 authorizes the commissioner, through the Board of Boiler and Pressure Vessel Rules, to fix reasonable standards for the safe construction, installation, and repair of boilers, pressure vessels, and associated pressure piping in Kentucky. KRS 236.097 requires criteria and fees for the issuance of owner facility, owner's piping inspector, and independent inspection agency licenses, and requires the department to develop the applications required for the issuance and renewal of these licenses. This administrative regulation establishes the fees, standards, and forms incident to the licensing of boiler and pressure vessel contractors, owner facilities, owner's piping inspectors, and independent inspection agencies.

Section 1. Boiler and Pressure Vessel Contractors. (1) A boiler and pressure vessel contractor required by KRS 236.210 to be licensed shall comply with the requirements of this section.

(2) An applicant for a boiler and pressure vessel contractor license shall submit to the Boiler Inspection Section:

- (a) Proof that the applicant is eighteen (18) years of age or older;
- (b) A completed, signed, and notarized Boiler and Pressure Vessel Contractor License Application on Form PLB-BPV-1;
- (c) A passport-sized, color photograph of the applicant taken within the past six (6) months; and
- (d) A nonrefundable license fee of \$250 payable to the Kentucky State Treasurer.

(3)(a) An applicant for a boiler and pressure vessel contractor license shall take and pass the examination required by KRS 236.210 before an initial license may be issued under this section.

(b) The applicant shall successfully complete the examination with a passing score of at least seventy (70) percent.

(c) A passing score on the examination shall be valid for a period of ten (10) years.

(4)(a) A boiler and pressure vessel contractor license shall expire on the last day of the licensee's birth month unless renewed in accordance with subsection (6) of this section.

(b) If an initial license is for a period of less than twelve (12) months, the initial application and testing fee shall be reduced on a pro rata basis.

(c) The initial license fee shall not be prorated for less than seven (7) months.

(5) Termination of application.

(a) The initial application shall remain pending for up to one (1) year after the date the application is submitted, in order to afford the applicant additional time to satisfy the requirements of subsections (2) and (3) of this section.

(b) At the end of one (1) year, the application shall be void.

(6) License Renewal.

(a) Renewal of a license issued under this section shall be renewed on or before the expiration date of the license.

(b) An applicant for renewal of a boiler and pressure vessel contractor license shall submit to the Boiler Inspection Section:

- 1. A completed, signed, and notarized Boiler and Pressure Vessel Contractor Renewal Ap-

plication on Form PLB-BPV-2; and

2. A nonrefundable annual renewal fee of \$175 payable to the Kentucky State Treasurer.

(7) A boiler or pressure vessel contractor shall provide general supervision to and be primarily responsible for all work performed by the licensee's employees.

(8) A boiler or pressure vessel contractor who is an employee of a company and whose license represents the company shall, within thirty (30) days of the occurrence, provide written notice to the department of:

(a) The termination of the licensee's employment by or representation of the company; or

(b) Any change in the name of the company.

Section 2. Owner Facilities. (1) An owner facility seeking to be licensed pursuant to KRS 236.210(1) shall comply with the requirements of this section.

(2) An applicant for an owner facility license shall submit to the Boiler Inspection Section:

(a) A completed, signed, and notarized Owner Facility License Application on Form PLB-BPV-3; and

(b) The fee required by KRS 236.097(1)(d), payable to the Kentucky State Treasurer.

(3) An owner facility license shall expire after a period of two (2) years, on the last day of the month in which the license was initially issued, unless renewed in accordance with subsection (4) of this section.

(4) License Renewal.

(a) An applicant for renewal of an owner facility license issued in accordance with this section shall, by no later than sixty (60) days prior to the expiration of the license, submit to the Boiler Inspection Section:

(a) A completed, signed, and notarized Owner Facility Renewal Application on Form PLB-BPV-4; and

(b) The fee required by KRS 236.097(1)(f), payable to the Kentucky State Treasurer.

(5) An owner facility licensed under this section shall be permitted to conduct that owner facility's own site piping inspections, other than for boiler external piping, in lieu of an inspection by the department, in accordance with KRS 236.097 and this administrative regulation.

(6) An owner facility shall not conduct, or allow to be conducted, any piping inspections under the owner facility's license unless the inspector performing the inspection is licensed pursuant to either Section 3 or Section 4 of this administrative regulation.

Section 3. Owner's Piping Inspectors. (1) An owner's piping inspector required to be licensed pursuant to KRS 236.210(2) shall comply with the requirements of this section.

(2) An applicant for an owner's piping inspector license shall submit to the Boiler Inspection Section:

(a) Proof that the applicant is eighteen (18) years of age or older;

(b) A completed, signed, and notarized Owner's Piping Inspector License Application on Form PLB-BPV-5;

(c) A passport-sized, color photograph of the applicant taken within the past six (6) months; and

(d) The nonrefundable fee required by KRS 236.097(2)(c), payable to the Kentucky State Treasurer.

(3)(a) An owner's piping inspector license shall expire on the last day of the licensee's birth month in the second year following the issue date unless renewed in accordance with subsection (4) of this section.

(b) If an initial license is for a period of less than twenty-four (24) months, the initial license fee shall be prorated in accordance with KRS 236.097(2)(d).

(4) License Renewal.

(a) An applicant for renewal of an owner's piping inspector license issued in accordance with this section shall, on or before the expiration of the license, submit to the Boiler Inspection Section:

(a) A completed, signed, and notarized Owner's Piping Inspector Renewal Application on Form PLB-BPV-6; and

(b) The fee required by KRS 236.097(2)(f), payable to the Kentucky State Treasurer.

Section 4. Independent Inspection Agencies. (1) An independent inspection agency required to be licensed pursuant to KRS 236.210(3) shall comply with the requirements of this section.

(2) An applicant for an independent inspection agency license shall submit to the Boiler Inspection Section:

(a) A completed, signed, and notarized Independent Inspection Agency License Application on Form PLB-BPV-7; and

(b) The fee required by KRS 236.097(3)(b), payable to the Kentucky State Treasurer.

(3) An independent inspection agency license shall expire after a period of two (2) years, on the last day of the month in which the license was initially issued, unless renewed in accordance with subsection (4) of this section.

(4) License Renewal.

(a) An applicant for renewal of an independent inspection agency license issued in accordance with this section shall, on or before the expiration of the license, submit to the Boiler Inspection Section:

(a) A completed, signed, and notarized Independent Inspection Agency Renewal Application on Form PLB-BPV-8; and

(b) The fee required by KRS 236.097(3)(e), payable to the Kentucky State Treasurer.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Form PLB-BPV-1, "Boiler and Pressure Vessel Contractor License Application", December 2014;

(b) Form PLB-BPV-2, "Boiler and Pressure Vessel Contractor Renewal Application", December 2014;

(c) Form PLB-BPV-3, "Owner Facility License Application", December 2014;

(d) Form PLB-BPV-4, "Owner Facility Renewal Application", December 2014;

(e) Form PLB-BPV-5, "Owner's Piping Inspector License Application", December 2014;

(f) Form PLB-BPV-6, "Owner's Piping Inspector Renewal Application", December 2014;

(g) Form PLB-BPV-7, "Independent Inspection Agency License Application", December 2014: and

(h) Form PLB-BPV-8, "Independent Inspection Agency Renewal Application", December 2014.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Housing, Buildings and Construction, Boiler Section, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5412, Monday through Friday, 8 a.m. to 4:30 p.m. (13 Ky.R. 1211; eff. 1-13-1987; Am. 20 Ky.R. 2739; eff. 5-18-1994; 24 Ky.R. 956; eff. 12-15-1997; 27 Ky.R. 3373; eff. 8-15-2001; 31 Ky.R. 1748; 32 Ky.R. 83; eff. 7-27-2005; 42 Ky.R. 1641; eff. 2-5-2016.)